Applicant : Thomas G. Woolston                Attorney's Docket No.: 13466-002013
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## Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

## Listing of Claims:

1-50.    (Canceled)

51.    (New) An electronic marketplace system for receiving electronic presentment of an item for sale from a participant seller, the electronic presentment of the item for sale creating an instance of the item for sale at the electronic marketplace for the electronic marketplace system to present the item for sale via the instance of the item for sale to an open audience of internet participants, the electronic marketplace system processing the sale of the item at the electronic marketplace by locking the data record of the item selling instance and processing payment for item at the electronic marketplace without further recourse from the participant seller after the data record is locked for the item selling instance, the electronic marketplace system comprising:

a database and a computer, the database storing a data record of an item for sale that was electronically presented to the electronic marketplace from a participant that is selling the item, the computer creating a selling instance for the item at the electronic marketplace wherein the selling instance represents a binding offer to sell the item if the marketplace receives payment information from at least one participant from the open audience of internet participants,

an integrated transaction processor for processing payment from an open audience of internet participants, the transaction processor allowing access to an participant account maintained by the electronic marketplace system for at least one participant from the open audience of internet participants, the participant account maintained by the electronic marketplace system being maintained in an automated accounts database and capable of receiving, holding and disbursing participants funds used and generated by participant transactions through the electronic marketplace system, and

the transaction processor facilitating a sales termination event for the selling instance of the item at the electronic marketplace, the termination event locking the data record for the item selling instance to prevent the item from being sold twice and the termination event creating at least two classes of potential purchasers from the open audience of internet participants,

the first class having access to purchase the item by access to a participant account maintained by the electronic marketplace system for a first tier price for the item for the item selling instance, and

at least a second class having access to purchase the item by access to a participant account maintained by the electronic marketplace system for a second tier price for the item that is treated differently than the first tier price for the item for the item selling instance and

wherein the participant seller of the item is without recourse to rescind the sale of the item after the transaction processor has locked the data record for the item to initiate the sale for the item by processing the selling instance for the item at the electronic marketplace.

52.     (New) An electronic marketplace system for receiving electronic presentment of a non-fungible item for sale from a seller participant and presenting the item for sale to an open audience of internet participants and processing the sale of the item at the electronic marketplace to at least one class of participants (first tier) from the open audience of participants (second tier) in which the first tier is treated to a secondary pricing scheme for the item for sale at an integrated termination and payment processing event at the electronic marketplace, the electronic marketplace system comprising:

a database and a computer, the database storing an item for sale that was electronically presented to the electronic marketplace from a seller participant, the computer offering the item for sale on behalf of the participant seller to an open audience of internet participants,

means for creating a termination event at the electronic marketplace, the termination event closing the sale of the item by receiving payment for the item and processing payment for the item and locking the data record to created the selling instance for the item at the electronic marketplace to assure that the same item does not sell more than once, at the

termination event treating members of the open audience of internet participants differently from one another to establish at least two classes of potential purchasers, the first class receiving a first tier price for the item for sale and the second class receiving a different second tier price for the item.

53.     (New) The electronic marketplace system of claim 52 further comprising an accounts database for maintaining participant account at the electronic marketplace wherein participant can access the accounts maintained in the accounts database and authorize the transfer of funds by book entry transaction between an account maintained by the participant that is buying the item from the item selling instance to an account maintained by the participant that is selling the item represented by the selling instance at the electronic marketplace.